

# **Healthy Iowans Tobacco Trust Appropriations Bill Senate File 537**

Last Action:

**Senate Appropriations  
Committee**

April 25, 2001

**AN ACT relating to and making appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust, establishing certain uses for the appropriations, and providing effective dates.**



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## **LEGISLATIVE FISCAL BUREAU**

### **NOTES ON BILLS AND AMENDMENTS (NOBA)**

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**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 537  
HEALTHY IOWANS TOBACCO TRUST FUND APPROPs**

TOBACCO SETTLEMENT FUND  
REVENUES AND EXPENDITURES

DEPARTMENT OF HUMAN  
SERVICES APPROPRIATIONS

- Iowa is estimated to receive approximately \$56.0 million for FY 2002 from the tobacco industry under the Tobacco Master Settlement Agreement.
- Appropriates \$32.8 million to the Department of Human Services (DHS) to continue the FY 2001 reimbursement rate increases funded by the Tobacco Settlement Fund, and adjust the funding based upon estimated FY 2002 services and number of eligible individuals for those services. These include:
  - \$11.6 million for noninstitutional Medical Assistance providers. (Page 1, Line 8)
  - \$3.8 million for dentists. (Page 1, Line 20)
  - \$3.2 million for rehabilitative treatment and support providers. (Page 1, Line 26)
  - \$469,000 for adoption, independent living, shelter care, and home studies providers. (Page 1, Line 33)
  - \$3.0 million for hospitals. (Page 2, Line 4)
  - \$2.1 million for home health care service providers. (Page 2, Line 9)
  - \$250,000 for critical access hospital designation. (Page 2, Line 15)
  - \$2.0 million for home health care and rehabilitative day care service providers for special needs children. (Page 2, Line 21)
  - \$1.1 million for respite care service providers. (Page 2, Line 27)
  - \$546,000 for miscellaneous DHS service providers. (Page 2, Line 33)
  - \$200,000 for the Children's Health Insurance Program (CHIP). (Page 3, Line 4)
  - \$4.0 million to supplement the Medical Assistance (Medicaid) appropriation. (Page 3, Line 8)
  - \$250,000 for a Breast and Cervical Cancer Treatment Program. (Page 3, Line 11)
- Appropriates \$147,000 to maintain the FY 2001 funds used from the \$2.0 million appropriation from the FY 2001 Tobacco Settlement Fund for local purchase of service provider salary increases. (Page 5, Line 35)

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 537  
HEALTHY IOWANS TOBACCO TRUST FUND APPROPS**

DEPARTMENT OF PUBLIC HEALTH  
APPROPRIATIONS

- Appropriates \$23.8 million to the Department of Public Health for the following health initiatives:
  - \$9.3 million for tobacco prevention and cessation programs. (Page 3, Line 16)
  - \$11.9 million for substance abuse treatment. (Page 4, Line 4)
  - \$2.6 million for the Healthy Iowans 2010 Program. (Page 4, Line 25)

DEPARTMENT OF CORRECTIONS  
APPROPRIATIONS

- Appropriates \$610,000 to four community based corrections (CBCs) districts and allocates it as follows:
  - \$127,000 to District II. (Page 5, Line 20)
  - \$35,000 to District III. (Page 5, Line 24)
  - \$192,000 to District IV. (Page 5, Line 28)
  - \$256,000 to District V. (Page 5, Line 31)

COMMUNITY EMPOWERMENT  
FUNDS

- Appropriates \$1.2 million from the FY 2001 appropriation to the Savings Account for Healthy Iowans for the School Ready Children Grants Account in the Iowa Empowerment Fund. The Savings Account was appropriated \$3.8 million from the FY 2001 Tobacco Settlement Fund appropriations. (Page 6, Line 24)

SUBSTANCE ABUSE TREATMENT  
FACILITY

- Appropriates the \$2.0 million from the FY 2001 appropriation to the Savings Account for Healthy Iowans to the Department of Public Health for a substance abuse treatment facility for persons on probation. This is a FY 2002 appropriation from funds that were appropriated to the Savings Account in FY 2001. (Page 7, Line 4)
- Creates the Substance Abuse Treatment Facility for persons on probation within the Department of Public Health. (Page 9, Line 7 through Page 10, Line 15; Page 11, Line 14 through 35)

DEPOSIT OF FUNDS INTO THE  
HEALTHY IOWANS TOBACCO  
TRUST

- Deposits funds remaining from the Savings Account for Healthy Iowans (\$647,000) and funds remaining from the FY 2001 local purchase of service provider salary increases (\$853,000) into the Healthy Iowans Tobacco Trust. (Page 7, Line 15 and Page 7, Line 21)

HEALTHY IOWANS TOBACCO  
TRUST CREATION

- Renames the Tobacco Settlement Endowment Fund to the Healthy Iowans Tobacco Trust and provides the necessary transitional language. (Page 7, Line 31 through Page 8, Line 18; and Page 8, Line 23 through Page 9, Line 6)
- Eliminates the Savings Account for Healthy Iowans. (Page 8, Line 19)

**EXECUTIVE SUMMARY**  
**NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 537**  
**HEALTHY IOWANS TOBACCO TRUST FUND APPROPS**

BREAST AND CERVICAL CANCER  
TREATMENT COVERAGE  
EFFECTIVE DATE

- Provides certain breast and cervical cancer treatment as an optional coverage under the Medical Assistance Program. (Page 10, Line 16)
- Provides that the Section which transfers the remaining funds from the FY 2001 Healthy Iowans Savings Account to the Healthy Iowans Tobacco Trust takes effect upon enactment. (Page 12, Line 16)
- Provides that the Section which transfers the funds remaining from the FY 2001 appropriation from the Tobacco Settlement Fund to the local purchase of service provider salary increases to Healthy Iowans Tobacco Trust takes effect upon enactment. (Page 12, Line 22)
- Specifies that the changes relating to the elimination of the Tobacco Settlement Fund and the creation of the Healthy Iowans Tobacco Trust is contingent upon enactment of SF 532. (Page 12, Line 27)

CONTINGENCY LANGUAGE

Senate File 537

Senate File 537 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action   | Code Section                            | Description                                      |
|--------|--------|--------------|----------|---|--|
| 7      | 21     | 4            | Nwthstnd | Sec. 5, Chapter 1221, 2000<br>Iowa Acts | FY 2001 Tobacco Settlement Funds Carryforward    |
| 7      | 31     | 5            | Amends   | Sec. 12.65                              | Tobacco Account Name Change                      |
| 7      | 33     | 5            | Amends   | Sec. 12.65(1)                           | Tobacco Funds Money Transfer                     |
| 8      | 7      | 5            | Amends   | Sec. 12.65(2)                           | Tobacco Authority Funds Language Update          |
| 8      | 12     | 5            | Amends   | Sec. 12.65(3)                           | Tobacco Fund Name Change                         |
| 8      | 19     | 5            | Amends   | Sec. 12.65(4)                           | Elimination of Savings Account                   |
| 8      | 23     | 5            | Amends   | Sec. 12.65(5)                           | Tobacco Account Name Change                      |
| 8      | 34     | 5            | Amends   | Sec. 12.65(6)                           | Eliminates Outdated Language                     |
| 9      | 2      | 5            | Amends   | Sec. 12.65(7)                           | Tobacco Settlement Fund Name Change              |
| 9      | 7      | 6            | Amends   | Sec. 135.11(26)                         | Director of Department of Public Health Duty     |
| 9      | 12     | 7            | New      | Sec. 135.130                            | Substance Abuse Treatment Facility               |
| 10     | 5      | 8            | Amends   | Sec. 136.3(7)                           | Administrative Rules Responsibility              |
| 11     | 14     | 10           | Amends   | Sec. 901B.1(1)(c)(5)                    | Level Three Correctional Facility Classification |
| 11     | 19     | 11           | Amends   | Sec. 901B.1(4)(a)                       | Placement of Individuals in Facility             |

1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST -- APPROPRIATIONS  
 1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
 1 3 tobacco trust created in section 12.65 to the following  
 1 4 departments for the fiscal year beginning July 1, 2001, and  
 1 5 ending June 30, 2002, the following amounts, or so much  
 1 6 thereof as is necessary, to be used for the purposes  
 1 7 designated:

1 8 1. To the department of human services:  
 1 9 a. Unless otherwise provided, to maintain the  
 1 10 reimbursement rate for all noninstitutional medical assistance  
 1 11 providers, with the exception of anesthesia and dental  
 1 12 services, at the rate provided under the federal Medicare  
 1 13 program for such providers during the fiscal year beginning  
 1 14 July 1, 2000, and ending June 30, 2001, as specified in 2000  
 1 15 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph  
 1 16 "a", for the fiscal year July 1, 2001, through June 30, 2002,  
 1 17 and to continue the resource-based relative value system of  
 1 18 reimbursement under the medical assistance program:  
 1 19 ..... \$ 11,595,718

Healthy Iowans Tobacco Trust appropriation to the Department of Human Services (DHS) to continue the increased reimbursement rate for all noninstitutional Medical Assistance providers except anesthesia and dental services received with Tobacco Settlement Fund monies in FY 2001.

DETAIL: This is an increase of \$5,595,718 compared to the estimated FY 2001 appropriation. The increase is to annualize the FY 2001 increase which began November 1, 2000, as well as fund changes in provider services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002.

Medical Assistance providers who receive reimbursements under this subsection include:

1. Physicians
2. Optometrists
3. Podiatrists
4. Chiropractors
5. Clinics
6. Psychiatrists
7. Psychologists

1 20 b. To maintain the reimbursement rate at the usual and  
 1 21 customary rate as established in 2000 Iowa Acts, chapter 1221,  
 1 22 section 1, subsection 1, paragraph "b", for the fiscal year  
 1 23 July 1, 2001, through June 30, 2002, for dental services under  
 1 24 the medical assistance program:

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for dental services at 75.00% of usual and customary rates received with Tobacco Settlement Fund monies in FY 2001.

1 25 ..... \$ 3,814,973

DETAIL: This is an increase of \$214,973 to maintain the rate reimbursement increase received from Tobacco Settlement Funds in FY 2001 for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002.

1 26 c. To maintain the cost-of-living adjustment as  
 1 27 established in 2000 Iowa Acts, chapter 1221, section 1,  
 1 28 subsection 1, paragraph "c", for the fiscal year July 1, 2001,  
 1 29 through June 30, 2002, for rehabilitative treatment and  
 1 30 support services providers under the medical assistance  
 1 31 program:  
 1 32 ..... \$ 3,243,026

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for rehabilitative treatment and support services providers received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is an increase of \$143,026 compared to the estimated FY 2001 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002. The following child welfare services receive funding from these appropriations:

1. Family preservation
2. Family centered services
3. Foster family care
4. Group care

1 33 d. To maintain the cost-of-living adjustment as  
 1 34 established in 2000 Iowa Acts, chapter 1221, section 1,  
 1 35 subsection 1, paragraph "d", for the fiscal year July 1, 2001,  
 2 1 through June 30, 2002, for adoption, independent living,  
 2 2 shelter care, and home studies services providers:  
 2 3 ..... \$ 468,967

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for specified child welfare service providers received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is a decrease of \$31,033 compared to the estimated FY 2001 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002. The following child welfare services receive funding from these appropriations:

1. Subsidized adoption
2. Independent living
3. Shelter care
4. Home studies

- 
- 5. Protective child care
  - 6. Wraparound services

2 4 e. To maintain the reimbursement rate as established in  
 2 5 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 2 6 paragraph "e", for the fiscal year July 1, 2001, through June  
 2 7 30, 2002, for hospitals under the medical assistance program:  
 2 8 ..... \$ 3,035,278

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for hospitals received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is an increase of \$735,278 compared to the estimated FY 2001 appropriation for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002. The appropriation provides funds to inpatient and outpatient hospital services reimbursed under the Medical Assistance Program.

2 9 f. To maintain the reimbursement rate as established in  
 2 10 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 2 11 paragraph "f", for the fiscal year July 1, 2001, through June  
 2 12 30, 2002, for home health care services under the medical  
 2 13 assistance program:  
 2 14 ..... \$ 2,108,279

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for home health care received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is a decrease of \$291,721 compared to the estimated FY 2001 appropriation for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002.

2 15 g. To maintain the reimbursement rate as established in  
 2 16 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 2 17 paragraph "g", for the fiscal year July 1, 2001, through June  
 2 18 30, 2002, for critical access hospitals under the medical  
 2 19 assistance program:  
 2 20 ..... \$ 250,000

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for critical access hospitals received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: Maintains current level of funding. This does not include any percentage increase in reimbursement rates for FY 2002.

2 21 h. To maintain the expansion of home health care services  
 2 22 and habilitative day care as established in 2000 Iowa Acts,  
 2 23 chapter 1221, section 1, subsection 1, paragraph "h", under  
 2 24 the medical assistance program for children with special  
 2 25 needs:

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for home health care services and habilitative day care services to special needs children received with Tobacco Settlement Fund appropriations in FY 2001.



2 26 ..... \$ 1,975,496

DETAIL: This is a decrease of \$2,424,504 compared to the estimated FY 2001 appropriation for changes in services and the number of eligibles. The appropriation is for home health care services for special needs children and habilitative day care services to special needs children being served through waiver programs. This does not include any percentage increase in reimbursement rates for FY 2002.

2 27 i. To maintain the expansion of respite care services  
2 28 provided through home and community-based waivers as  
2 29 established in 2000 Iowa Acts, chapter 1221, section 1,  
2 30 subsection 1, paragraph "i", under the medical assistance  
2 31 program:  
2 32 ..... \$ 1,137,309

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for respite care services provided through home and community-based waivers received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is a decrease of \$62,691 compared to the estimated FY 2001 appropriation to reflect changes in services and the number of eligibles. The appropriation provides respite services to families with special needs individuals residing in their homes through home and community-based waivers. This does not include any percentage increase in reimbursement rates for FY 2002.

2 33 j. To maintain the reimbursement rate as established in  
2 34 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 35 paragraph "j", for the fiscal year July 1, 2001, through June  
3 1 30, 2002, to service providers under the purview of the  
3 2 department of human services:  
3 3 ..... \$ 545,630

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for specified service providers received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is a decrease of \$4,370 compared to the estimated FY 2001 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2002. The appropriation provides funds to the following services:

1. Early and periodic screening, diagnosis, and treatment
2. Community mental health centers
3. Durable medical equipment and supplies
4. Laboratory and x-ray services
5. Ambulance

|      |  |  |
|------|--|--|
|      |  | 6. Other practitioners including nurse practitioners and physician assistants<br>7. Waiver services<br>8. Psychiatric Medical Institutions for Children<br>9. Residential Care Facilities<br>10. In-home health care providers |
| 3 4  | 2. To the department of human services to continue the         | Healthy Iowans Tobacco Trust appropriation to the DHS to continue  |
| 3 5  | supplementation of the children's health insurance program     | the supplementation for the Children's Health Insurance Program  |
| 3 6  | appropriation:   | appropriation.   |
| 3 7  | ..... \$ 200,000   | DETAIL: Maintains the current level of funding.  |
| 3 8  | 3. To the department of human services to continue the         | Healthy Iowans Tobacco Trust appropriation to the DHS to   |
| 3 9  | supplementation of the medical assistance appropriation:       | supplement the Medical Assistance (Medicaid) General Fund  |
| 3 10 | ..... \$ 4,000,000   | appropriation.   |
|      |  | DETAIL: This is a new appropriation for FY 2002.   |
| 3 11 | 4. To the department of human services to provide coverage     | Healthy Iowans Tobacco Trust appropriation to the DHS to provide   |
| 3 12 | under the medical assistance program to women who require      | Medicaid coverage for certain women with breast and cervical cancer.   |
| 3 13 | treatment for breast or cervical cancer as provided in section |  |
| 3 14 | 249A.3, subsection 2, paragraph aa:                            | DETAIL: This is a new appropriation for FY 2002.   |
| 3 15 | ..... \$ 250,000   |  |
| 3 16 | 5. To the Iowa department of public health:                    | Healthy Iowans Tobacco Trust appropriation to the Department of  |
| 3 17 | a. For the tobacco use prevention and control initiative,      | Public Health to continue the appropriation for prevention and control   |
| 3 18 | including efforts at the state and local levels, as provided   | initiatives received from Tobacco Settlement Fund appropriations in  |
| 3 19 | in chapter 142A and for not more than the following full-time  | FY 2001.   |
| 3 20 | equivalent positions:  |  |
| 3 21 | ..... \$ 9,345,394   | DETAIL: This is an increase of \$22,269 and a decrease of 3.55 FTE   |
| 3 22 | ..... FTEs 7.00  | positions compared to the estimated FY 2001 appropriation for a  |
|      |  | miscellaneous adjustment. This same amount was provided in FY  |
|      |  | 2000 as a supplemental appropriation for initial expenditures which  |
|      |  | were to occur in FY 2000. The net result is the same level of funding  |

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for FY 2002 compared to the FY 2000 and FY 2001 estimated net appropriations.

3 23 (1) The director of public health shall dedicate  
 3 24 sufficient resources to promote and ensure retailer compliance  
 3 25 with tobacco laws and ordinances relating to persons under 18  
 3 26 years of age, and shall prioritize the state's compliance in  
 3 27 the allocation of available funds to comply with 42 U.S.C.  
 3 28 300X-26 and section 453A.2.

Requires the Director of the Department of Public Health to promote and ensure retailer compliance with tobacco laws.

3 29 (2) Of the full-time equivalent positions funded under  
 3 30 this section, two full-time equivalent positions shall be  
 3 31 utilized to provide for enforcement of tobacco laws,  
 3 32 regulations, and ordinances under a chapter 28D agreement  
 3 33 entered into between the Iowa department of public health and  
 3 34 the alcoholic beverages division of the department of  
 3 35 commerce.

Requires 2.00 FTE positions to be used jointly by the Department of Public Health and the Alcoholic Beverages Division of the Department of Commerce for enforcement of tobacco laws.

4 1 (3) Of the funds appropriated in this paragraph "a", not  
 4 2 more than \$525,759 shall be expended on administration and  
 4 3 management of the program.

Requires that not more than \$525,759 from the \$9,345,394 appropriation be expended for administrative costs.

4 4 b. For additional substance abuse treatment under the  
 4 5 substance abuse treatment program:  
 4 6 ..... \$ 11,900,000

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health to continue the substance abuse treatment program funding received from Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: Maintains current level of funding compared to the FY 2001 estimated net appropriation.

4 7 (1) The department shall use funds appropriated in this  
 4 8 paragraph "b" to enhance the quality of and to expand the  
 4 9 capacity to provide 24-hour substance abuse treatment

Requires the Department of Public Health to use the funds appropriated in this paragraph to enhance the quality of and expand capacity to provide 24-hour substance abuse treatment programs.

4 10 programs.

4 11 (2) The department shall use funds appropriated in this  
4 12 paragraph to expand the length of individual client substance  
4 13 abuse treatment plans, as necessary to reduce program  
4 14 recidivism.

Requires the Department of Public Health to use the funds appropriated in this paragraph to expand the length of individual client substance abuse treatment plans.

4 15 (3) The department shall use funds appropriated in this  
4 16 paragraph to share research-based best practices for treatment  
4 17 with substance abuse treatment facilities.

Requires the Department of Public Health to use the funds appropriated in this paragraph to share research-based best practices for treatment.

4 18 (4) The department shall use funds appropriated in this  
4 19 paragraph to develop a results-based funding approach for  
4 20 substance abuse treatment services.

Requires the Department of Public Health to use the funds appropriated in this paragraph to develop a results-based funding approach for substance abuse treatment services.

4 21 (5) The department shall use funds appropriated in this  
4 22 paragraph to develop a program to encourage individuals who  
4 23 are successfully managing their substance abuse problems to  
4 24 serve as role models.

Requires the Department of Public Health to use the funds appropriated in this paragraph to develop a mentoring program.

4 25 c. For the healthy lowans 2010 plan within the Iowa  
4 26 department of public health and for not more than the  
4 27 following full-time equivalent positions:

4 28 ..... \$ 2,550,000  
4 29 ..... FTEs 4.00

Tobacco Settlement Fund appropriation to the Department of Public Health for Healthy lowans 2010 initiatives.

DETAIL: This is a decrease of \$250,000 and 0.75 FTE position compared to the FY 2001 estimated net appropriation.

4 30 (1) Of the funds appropriated in this paragraph "c", not  
4 31 more than \$1,250,000 shall be used for core public health  
4 32 functions, including home health care and public health  
4 33 nursing services, contracted through a formula by local boards  
4 34 of health, to enhance disease and injury prevention services.

Requires a maximum allocation of \$1,500,000 for core public health functions, including home health care and public health nursing services.

DETAIL: The allocation is a decrease of \$250,000 compared to the allocation for FY 2001.

4 35 (2) Of the funds appropriated in this paragraph "c", not

Requires a maximum allocation of \$400,000 for the implementation

5 1 more than \$400,000 shall be used for the continuation and  
5 2 support of a coordinated system of delivery of trauma and  
5 3 emergency medical services.

and support of a coordinated system of delivery of trauma and  
emergency medical services.

DETAIL: The same allocation was required for FY 2001.

5 4 (3) Of the funds appropriated in this paragraph "c", not  
5 5 more than \$437,000 shall be used for the state poison control  
5 6 center.

Requires a maximum allocation of \$437,000 for the State Poison  
Control Center.

DETAIL: The same allocation existed for FY 2001.

5 7 (4) Of the funds appropriated in this paragraph "c", not  
5 8 more than \$300,000 shall be used for the development of  
5 9 scientific and medical expertise in environmental  
5 10 epidemiology.

Requires a maximum allocation of \$300,000 for environmental  
epidemiology.

DETAIL: The same allocation existed for FY 2001.

5 11 (5) Of the funds appropriated in this paragraph "c", not  
5 12 more than \$81,500 shall be used to implement prevention  
5 13 strategies of healthy Iowans 2010 to address the leading  
5 14 causes of death in Iowa.

Requires a maximum allocation for prevention strategies to address  
the leading causes of death in Iowa.

DETAIL: This is an allocation decrease of \$81,500 compared to the  
FY 2001 allocation. For FY 2001, the amount of the decrease  
(\$81,500) was used for efforts related to prevention of suicide in  
children within the Child and Adolescent Wellness Program with the  
Department of Public Health.

5 15 (6) Of the funds appropriated in this paragraph "c", not  
5 16 more than \$81,500 shall be used for the childhood lead  
5 17 poisoning prevention program.

Requires a maximum allocation of \$81,500 for childhood lead  
poisoning prevention.

DETAIL: This is a new allocation for FY 2002.

5 18 6. To the department of corrections:  
5 19 ..... \$ 610,000

Healthy Iowans Tobacco Trust appropriation to the Department of  
Corrections for replacement of federal funding for day programming  
and drug courts.

DETAIL: Maintains current level of funding.

5 20 a. Of the funds appropriated in this subsection, \$127,217  
 5 21 is allocated to the second judicial district department of  
 5 22 correctional services to replace expired federal funding for  
 5 23 day programming.

Requires an allocation of \$127,217 for the Community Based Corrections District II.

DETAIL: No change in the allocation compared to the FY 2001 allocation.

5 24 b. Of the funds appropriated in this subsection \$35,359 is  
 5 25 allocated to the third judicial district department of  
 5 26 correctional services to replace expired federal funding for  
 5 27 the drug court program.

Requires an allocation of \$35,359 for Community Based Corrections District III.

DETAIL: No change in the allocation compared to the FY 2001 allocation.

5 28 c. Of the funds appropriated in this subsection, \$191,731  
 5 29 is allocated to the fourth judicial district department of  
 5 30 correctional services for a drug court program.

Requires an allocation of \$191,731 for Community Based Corrections District IV.

DETAIL: No change in the allocation compared to the FY 2001 allocation.

5 31 d. Of the funds appropriated in this subsection, \$255,692  
 5 32 is allocated to the fifth judicial district department of  
 5 33 correctional services to replace expired funding for the drug  
 5 34 court program.

Requires an allocation of \$255,692 for Community Based Corrections District V.

DETAIL: No change in the allocation compared to the FY 2001 allocation.

5 35 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS --  
 6 1 REIMBURSEMENT INCREASE. There is appropriated from the  
 6 2 healthy lowans tobacco trust created in section 12.65 to the  
 6 3 property tax relief fund created in section 426B.1 for the  
 6 4 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
 6 5 the following amount, or so much thereof as is necessary, to  
 6 6 be used for the purposes designated:  
 6 7 For assistance to the counties with limited county mental  
 6 8 health, mental retardation, and developmental disabilities  
 6 9 services fund balances which were selected in accordance with  
 6 10 2000 Iowa Acts, chapter 1221, section 3 to receive such

Healthy lowans Tobacco Trust appropriation to the Property Tax Relief Fund for continuation of the local purchase of service provider salary increases requested by counties and approved by the Risk Pool Board in FY 2001 for FY 2002.

DETAIL: For FY 2001, \$2,000,000 was appropriated for this purpose. The counties requested and were approved a total amount of \$146,750. This maintains the funds available for the salary increases which occurred as a result of the application by counties and approval by the Risk Pool Board.

6 11 assistance in the same amount provided during the fiscal year  
 6 12 beginning July 1, 2000, and ending June 30, 2001, to pay  
 6 13 reimbursement increases in accordance with 2000 Iowa Acts,  
 6 14 chapter 1221, section 3:  
 6 15 ..... \$ 146,750

6 16 Sec. 3. SAVINGS ACCOUNT FOR HEALTHY IOWANS --  
 6 17 APPROPRIATIONS. There is appropriated from the savings  
 6 18 account for healthy Iowans created within the tobacco  
 6 19 settlement endowment fund created in section 12.65, Code 2001,  
 6 20 to the following funds and entities for the fiscal year  
 6 21 beginning July 1, 2001, and ending June 30, 2002, the  
 6 22 following amounts, or so much thereof as is necessary, to be  
 6 23 used for the purposes designated:

6 24 1. To the Iowa empowerment fund created in section 28.9  
 6 25 for deposit in the school ready children grants account and  
 6 26 for distribution as provided in this subsection:  
 6 27 ..... \$ 1,153,250

Savings Account for Healthy Iowans appropriation to the Iowa Empowerment Fund.

DETAIL: The FY 2001 appropriations from the Tobacco Settlement Endowment Fund included \$3,800,000 into the Savings Account for Healthy Iowans. This Section appropriates \$1,153,250 from the Savings Account to the Iowa Empowerment Fund for the School Ready Children Grants Account.

The appropriation is not included in the tracking information as part of this document.

6 28 The moneys appropriated in this subsection shall be used  
 6 29 along with other appropriations made to the Iowa empowerment  
 6 30 fund and shall be distributed for the fiscal year beginning  
 6 31 July 1, 2001, in the same proportion that the annualized grant  
 6 32 amount for each designated community empowerment area in the  
 6 33 previous fiscal year bears to the adjusted total amount  
 6 34 distributed for school ready children grants in the previous  
 6 35 fiscal year. The adjusted total amount distributed shall be

Specifies the use of the appropriation from the Savings Account for Healthy Iowans for the Iowa Empowerment Fund.

7 1 calculated by reflecting an annualized grant amount for each  
 7 2 community empowerment area that received a grant in that  
 7 3 fiscal year.

7 4 2. To the Iowa department of public health to be used for  
 7 5 the purpose designated and for not more than the following  
 7 6 full-time equivalent positions:  
 7 7 For establishing and operating the substance abuse  
 7 8 treatment facility for persons on probation as created in  
 7 9 section 135.130 and providing staffing for the facility to be  
 7 10 used exclusively to provide substance abuse treatment for  
 7 11 persons on probation and under the supervision of the judicial  
 7 12 district department of correctional services:  
 7 13 ..... \$ 2,000,000  
 7 14 ..... FTEs 60.00

7 15 3. Any moneys remaining in the savings account for healthy  
 7 16 Iowans created within the tobacco settlement endowment fund  
 7 17 created in section 12.65, Code 2001, on June 30, 2001, shall  
 7 18 be transferred to the healthy Iowans tobacco trust created in  
 7 19 section 12.65, as amended in this Act, to be used for the  
 7 20 purposes specified in that section.

7 21 Sec. 4. PRIOR YEAR NONREVERSION. Notwithstanding 2000  
 7 22 Iowa Acts, chapter 1221, section 5, moneys appropriated under  
 7 23 2000 Iowa Acts, chapter 1221, section 3, for purchase of  
 7 24 service contract providers which is unexpended or unencumbered  
 7 25 at the end of the fiscal year beginning July 1, 2000, and  
 7 26 ending June 30, 2001, shall be deposited in the healthy Iowans

Savings Account for Healthy Iowans appropriation to the Department of Public Health for a specific substance abuse treatment facility.

DETAIL: The FY 2001 appropriations from the Tobacco Settlement Endowment Fund included \$3,800,000 into the Savings Account for Healthy Iowans. This appropriates \$2,000,000 from the Account and 60.00 FTE positions to a substance abuse treatment facility providing treatment for persons on probation and under the supervision of a judicial district within the Department of Correctional Services.

The appropriation is not included in the tracking information as part of this document.

Savings Account for Healthy Iowans appropriation to the Healthy Iowans Tobacco Trust.

DETAIL: The FY 2001 appropriations from the Tobacco Settlement Endowment Fund included \$3,800,000 into the Savings Account for Healthy Iowans. With the Community Empowerment appropriation in Subsection 1 of \$1,153,250 and for the substance abuse facility appropriation in Subsection 2 of \$2,000,000, it is estimated that \$646,750 in addition to interest earned during FY 2001, remains to be transferred to the Healthy Iowans Tobacco Trust.

The appropriation is not included in the tracking information as part of this document.

CODE: Specifies that the funds remaining from the FY 2001 Tobacco Settlement Fund appropriation for the local purchase of service provider salary increases be deposited into the Healthy Iowans Tobacco Trust.

DETAIL: The original FY 2001 Tobacco Settlement Fund



7 27 tobacco trust created in section 12.65, as amended in this  
 7 28 Act, to be used for the purposes specified in that section.

appropriation for the local purchase of service provider salary increases was \$2,000,000. The Risk Pool Board approved \$146,750 of expenditures from that appropriation for the purposes specified. House File 732 (FY 2002 Human Services Appropriations Act) encumbers \$1,000,000 of the remaining funds to supplement the Medical Assistance (Medicaid) appropriation which takes effect upon enactment. There remains \$853,250 to be deposited from the original FY 2001 appropriation to the Healthy Iowans Tobacco Trust with this action.

7 29 Sec. 5. Section 12.65, Code 2001, is amended to read as  
 7 30 follows:

7 31 12.65 HEALTHY IOWANS TOBACCO SETTLEMENT ENDOWMENT FUND  
 7 32 TRUST.

CODE: Changes the name of the Tobacco Settlement Endowment Fund to the Healthy Iowans Tobacco Trust.

7 33 1. A healthy Iowans tobacco settlement endowment fund  
 7 34 trust is created in the office of the treasurer of state.  
 7 35 ~~After payment of litigation costs, all moneys paid to the~~  
 8 1 ~~state pursuant to the master settlement agreement, as defined~~  
 8 2 ~~in section 453C.1, Moneys appropriated to the healthy Iowans~~  
 8 3 ~~tobacco trust from the endowment for Iowa's health account of~~  
 8 4 ~~the tobacco settlement trust fund established in section~~  
 8 5 ~~12E.12 and from any other source shall be deposited in the~~  
 8 6 ~~fund healthy Iowans tobacco trust.~~

CODE: Changes the name of the Tobacco Settlement Endowment Fund to the Healthy Iowans Tobacco Trust. Also provides for the transfer of funds between the Fund and the Trust.

8 7 ~~2.—Any moneys paid to the state by the tobacco settlement~~  
 8 8 ~~authority pursuant to chapter 12E shall be deposited in the~~  
 8 9 ~~fund. Additionally, the state's share of the moneys which are~~  
 8 10 ~~not sold to the tobacco settlement authority pursuant to~~  
 8 11 ~~chapter 12E shall be deposited in the fund.~~

CODE: Eliminates language no longer necessary regarding the Tobacco Settlement Authority funds.

8 12 ~~3. 2.~~ Moneys deposited in the fund healthy Iowans tobacco  
 8 13 trust shall be used only in accordance with appropriations

CODE: Changes the name of the Tobacco Settlement Endowment Fund to the Healthy Iowans Tobacco Trust.

8 14 from the ~~fund~~ healthy lowans tobacco trust for purposes  
8 15 related to health care, substance abuse treatment and  
8 16 enforcement, tobacco use prevention and control, and other  
8 17 purposes related to the needs of children, adults, and  
8 18 families in the state.

8 19 ~~4. A savings account for healthy lowans is created within~~  
8 20 ~~the tobacco settlement endowment fund. Moneys, appropriated~~  
8 21 ~~annually, shall be deposited in the account and shall be~~  
8 22 ~~invested to provide an ongoing source of investment earnings.~~

CODE: Eliminates the Savings Account for Healthy lowans within the Tobacco Settlement Endowment Fund.

8 23 ~~5. 3.~~ Notwithstanding section 8.33, any unexpended balance  
8 24 in the ~~fund~~ healthy lowans tobacco trust at the end of the  
8 25 fiscal year shall be retained in the ~~fund~~ trust.  
8 26 Notwithstanding section 12C.7, subsection 2, interest or  
8 27 earnings on investments or time deposits of the moneys in the  
8 28 healthy lowans tobacco settlement endowment fund, in the  
8 29 ~~savings account for healthy lowans, and in any other account~~  
8 30 ~~established within the fund trust~~ shall be credited to the  
8 31 healthy lowans tobacco settlement endowment fund, to the  
8 32 ~~savings account for healthy lowans, or to any other account~~  
8 33 ~~established, respectively~~ trust.

CODE: Changes the name of the Tobacco Settlement Endowment Fund to the Healthy lowans Tobacco Trust.

8 34 ~~6. For the purposes of this section, "litigation costs"~~  
8 35 ~~are those costs itemized by the attorney general and submitted~~  
9 1 ~~to and approved by the attorney general.~~

CODE: Eliminates language no longer necessary regarding "litigation cost".

9 2 ~~7. 4.~~ Moneys in the ~~fund~~ healthy lowans tobacco trust  
9 3 shall be considered part of the general fund of the state for  
9 4 cash flow purposes only, provided any moneys used for cash  
9 5 flow purposes are returned to the ~~fund~~ trust by the close of  
9 6 each fiscal year.

CODE: Changes the name of the Tobacco Settlement Endowment Fund to the Healthy lowans Tobacco Trust.

9 7 Sec. 6. Section 135.11, Code 2001, is amended by adding

CODE: Adds a new duty for the Director of the Department of Public

9 8 the following new subsection:  
 9 9 NEW SUBSECTION. 26. Establish and administer a substance  
 9 10 abuse treatment facility pursuant to section 135.130.

Health regarding the establishment and administration of a substance abuse facility for persons on probation.

9 11 DIVISION XIII

9 12 Sec. 7. NEW SECTION. 135.130 SUBSTANCE ABUSE TREATMENT  
 9 13 FACILITY FOR PERSONS ON PROBATION.

CODE: Creates a facility for substance abuse treatment within the Department of Public Health.

9 14 1. The director shall establish and operate a facility for  
 9 15 the purpose of providing a structured treatment program for  
 9 16 persons with a substance abuse problem who are on probation  
 9 17 and under the supervision of a judicial district department of  
 9 18 correctional services. The department shall enter into an  
 9 19 agreement pursuant to chapter 28E with the department of  
 9 20 corrections for assistance in establishing security for the  
 9 21 facility. The department, in consultation with the department  
 9 22 of corrections, shall adopt rules pursuant to chapter 17A to  
 9 23 administer this section. The rules adopted shall include  
 9 24 rules related to the treatment requirements of the program.  
 9 25 2. A substance abuse treatment facility advisory council  
 9 26 is established within the department to advise and make  
 9 27 recommendations to the director regarding the establishment  
 9 28 and operation of a facility for persons with a substance abuse  
 9 29 problem who are on probation and to assist with the  
 9 30 implementation of treatment programs that are proven to be  
 9 31 effective for offenders. The substance abuse treatment  
 9 32 facility advisory council shall consist of the directors of  
 9 33 the eight judicial district departments of correctional  
 9 34 services and one representative each from the judicial branch,  
 9 35 the Iowa department of public health, the department of  
 10 1 corrections, and the governor's office of drug control policy.  
 10 2 3. The department, in consultation with the department of  
 10 3 corrections and the advisory council, shall adopt rules  
 10 4 pursuant to chapter 17A to establish and operate the facility.

DETAIL: Specifies that the facility is for persons who are on probation and under the supervision of a Judicial District Department of Correctional Services. Requires the Department of Public Health to contract with the Department of Corrections for security purposes of the facility. Creates a Substance Abuse Treatment Facility Advisory Council and specifies the membership of the Council.

CORRECTIONAL IMPACT: Assuming the treatment facility opens in January 2002, the prison population will decrease by 50 inmates during FY 2002, 142 inmates in FY 2003, and 167 inmates during FY 2006. If admissions to the substance abuse treatment facility vary significantly from this estimate, the correctional impact will vary accordingly.

FISCAL IMPACT: State prison costs are anticipated to decrease by \$292,000 during FY 2002. FY 2003 costs are estimated to decrease by \$829,000. The State prison system is currently operating at 111.0% of total capacity. This legislation may result in cost containment rather than an operating cost reduction in the State's prison system. The Bill provides \$2.0 million and 60.0 FTE positions to the Department of Public Health to operate the facility. FY 2003 annualized operating costs are estimated to be \$3.8 million.

10 5 Sec. 8. Section 136.3, subsection 7, Code 2001, is amended

CODE: Excludes as a duty of the State Board of Health

10 6 to read as follows:  
10 7 7. Adopt, promulgate, amend, and repeal rules and  
10 8 regulations consistent with law for the protection of the  
10 9 public health and prevention of substance abuse, and for the  
10 10 guidance of the department. All rules which have been or are  
10 11 hereafter adopted by the department shall be subject to  
10 12 approval by the board. However, rules adopted by the  
10 13 commission on substance abuse for section 125.7, subsections 1  
10 14 and 7, and rules adopted by the department pursuant to section  
10 15 135.130 are not subject to approval by the board of health.

administrative rules relating to the substance abuse treatment facility  
for persons on probation.

10 16 Sec. 9. Section 249A.3, subsection 2, Code 2001, is  
10 17 amended by adding the following new paragraph after paragraph  
10 18 a, and renumbering the subsequent paragraph:  
10 19 NEW PARAGRAPH. aa. As provided under the federal Breast  
10 20 and Cervical Cancer Prevention and Treatment Act of 2000, Pub.  
10 21 L. No. 106-354, women who meet all of the following criteria:  
10 22 (1) Are not described in 42 U.S.C. § 1396a(a)(10)(A)(i).  
10 23 (2) Have not attained age sixty-five.  
10 24 (3) Have been screened for breast and cervical cancer  
10 25 under the United States centers for disease control and  
10 26 prevention breast and cervical cancer early detection program  
10 27 established under 42 U.S.C. § 300k et seq., in accordance with  
10 28 the requirements of 42 U.S.C. § 300n, and need treatment for  
10 29 breast or cervical cancer. A woman is considered screened for  
10 30 breast and cervical cancer under this subparagraph if the  
10 31 woman is screened by any provider or entity, and the state  
10 32 grantee of the United States centers for disease control and  
10 33 prevention funds under Title XV of the federal Public Health  
10 34 Services Act has elected to include screening activities by  
10 35 that provider or entity as screening activities pursuant to  
11 1 Title XV of the federal Public Health Services Act. This  
11 2 screening includes but is not limited to breast or cervical  
11 3 cancer screenings or related diagnostic services provided by  
11 4 family planning or community health centers and breast cancer  
11 5 screenings funded by the Susan G. Komen foundation which are

CODE: Adds as an optional coverage for the Medical Assistance  
Program (Medicaid) treatment for Breast and Cervical Cancer under  
the federal Breast and Cervical Cancer Prevention and Treatment Act  
of 2000.

11 6 provided to women who meet the eligibility requirements  
11 7 established by the state grantee of the United States centers  
11 8 for disease control and prevention funds under Title XV of the  
11 9 federal Public Health Services Act.  
11 10 (4) Are not otherwise covered under creditable coverage as  
11 11 defined in 42 U.S.C. § 300gg(c).  
11 12 A woman who meets the criteria of this paragraph shall be  
11 13 presumptively eligible for medical assistance.

11 14 Sec. 10. Section 901B.1, subsection 1, paragraph c, Code  
11 15 2001, is amended by adding the following new subparagraph:  
11 16 NEW SUBPARAGRAPH. (5) A substance abuse treatment  
11 17 facility as established and operated by the Iowa department of  
11 18 public health.

CODE: Specifies the substance abuse treatment facility for persons on probation as a Level Three type of facility.

DETAIL: A Level Three type of facility within the Department of Corrections continuum is a facility for a quasi-incarceration sanction which is supported by residential facility placement or 24-hour electronic monitoring.

11 19 Sec. 11. Section 901B.1, subsection 4, paragraph a, Code  
11 20 2001, is amended to read as follows:  
11 21 a. The district department of correctional services shall  
11 22 place an individual committed to it under section 907.3 to the  
11 23 sanction and level of supervision which is appropriate to the  
11 24 individual based upon a current risk assessment evaluation.  
11 25 Placements may be to levels two and three of the corrections  
11 26 continuum. The district department may, with the approval of  
11 27 the Iowa department of public health and the department of  
11 28 corrections, place an individual in a level three substance  
11 29 abuse treatment facility established pursuant to section  
11 30 135.130, to assist the individual in complying with a  
11 31 condition of probation. The district department may, with the  
11 32 approval of the department of corrections, place an individual  
11 33 in a level four violator facility established pursuant to  
11 34 section 904.207 only as a penalty for a violation of a  
11 35 condition imposed under this section.

CODE: Permits a District Department of Correctional Services to place certain individuals in the Level Three Substance Abuse Treatment Facility with approval of the Department of Public Health and the Department of Corrections.

12 1 Sec. 12. REVERSION. Any moneys appropriated under this

Requires any unexpended or unencumbered appropriations made in

12 2 Act that are unexpended or unencumbered at the end of the  
 12 3 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
 12 4 shall revert to the healthy lowans tobacco trust.

the Bill and remaining at the end of FY 2002 revert to the Healthy lowans Tobacco Trust.

12 5 Sec. 13. REFERENCES. References in this Act to the  
 12 6 tobacco settlement endowment fund and to the savings account  
 12 7 for healthy lowans of the tobacco settlement endowment fund  
 12 8 are references to the fund and the account pursuant to section  
 12 9 12.65, Code 2001, and, unless otherwise provided,  
 12 10 appropriations from the fund and the account are references to  
 12 11 appropriations of moneys in the fund and the account on or  
 12 12 before June 30, 2001, and such moneys shall remain available  
 12 13 for appropriation for the fiscal year beginning July 1, 2001,  
 12 14 and ending June 30, 2002, as provided in this Act.

Specifies language for the period of transition between the Tobacco Settlement Endowment Fund and Savings Account for Healthy lowans to the Healthy lowans Tobacco Trust.

12 15 Sec. 14. EFFECTIVE DATES.

12 16 1. Section 3, subsection 3, of this Act relating to  
 12 17 transfer of the moneys remaining in the savings account for  
 12 18 healthy lowans created within the tobacco settlement endowment  
 12 19 fund created in section 12.65, Code 2001, on June 30, 2001, to  
 12 20 the healthy lowans tobacco trust, being deemed of immediate  
 12 21 importance, takes effect upon enactment.

Requires that the estimated \$646,750 remaining from the FY 2001 appropriation for the Savings Account for Healthy lowans be transferred to the Healthy lowans Tobacco Trust upon enactment.

12 22 2. Section 4 of this Act, relating to nonreversion of  
 12 23 funds remaining unencumbered or unobligated which were  
 12 24 appropriated for the purchase of service contract providers,  
 12 25 being deemed of immediate importance, takes effect upon  
 12 26 enactment.

Requires that the estimated \$853,250 remaining from the FY 2001 Tobacco Settlement Fund appropriation for the local purchase of service provider salary increases after the encumbrance of \$1,000,000 for the Medical Assistance appropriation be transferred to the Healthy lowans Tobacco Trust upon enactment.

12 27 Sec. 15. CONTINGENT EFFECTIVE DATE. The section in this  
 12 28 Act amending section 12.65 shall take effect only if 2001 Iowa  
 12 29 Acts, Senate File 532 is enacted. If 2001 Iowa Acts, Senate  
 12 30 File 532 is not enacted, the section in this Act amending

Specifies that the Section which changes the Tobacco Settlement Endowment Fund to the Healthy lowans Tobacco Trust takes effect only if SF 532 is enacted. Senate File 532 relates to various components of the Tobacco Settlement Trust Fund.

12 31 section 12.65 shall not take effect and references in this Act  
12 32 to the healthy lowans tobacco trust are references to the  
12 33 tobacco settlement endowment fund created in section 12.65,  
12 34 Code 2001. If 2001 Iowa Acts, Senate File 532 is not enacted,  
12 35 all moneys paid to the state pursuant to the master settlement  
13 1 agreement as defined in section 453C.1 shall be deposited in  
13 2 the tobacco settlement endowment fund created in section  
13 3 12.65, Code 2001.

13 4 EXPLANATION

13 5 This bill relates to and makes appropriations from the  
13 6 tobacco settlement endowment fund.  
13 7 The bill makes the following appropriations to the  
13 8 department of human services:  
13 9 1. Unless otherwise provided to maintain the reimbursement  
13 10 rate for all noninstitutional providers at the rate paid under  
13 11 the federal Medicare program during FY 2000-2001, and for  
13 12 continuation of the resource-based relative value system, for  
13 13 the fiscal year beginning July 1, 2001, and ending June 30,  
13 14 2002: \$11,595,718.  
13 15 2. To maintain the reimbursement rate for dental services  
13 16 at the usual and customary rate as provided during FY 2000-  
13 17 2001 for the fiscal year beginning July 1, 2001, and ending  
13 18 June 30, 2002: \$3,814,973.  
13 19 3. To maintain the cost-of-living adjustment for  
13 20 rehabilitative treatment services providers as provided during  
13 21 FY 2000-2001, for the fiscal year beginning July 1, 2001, and  
13 22 ending June 30, 2002: \$3,243,026.  
13 23 4. To maintain the cost-of-living adjustment for adoption,  
13 24 independent living, shelter care, and home studies services  
13 25 providers as provided during FY 2000-2001, for the fiscal year  
13 26 beginning July 1, 2001, and ending June 30, 2002: \$468,967.  
13 27 5. To maintain the reimbursement rate for hospitals as  
13 28 provided during FY 2000-2001, for the fiscal year beginning  
13 29 July 1, 2001, and ending June 30, 2002: \$3,035,278.  
13 30 6. To maintain the reimbursement rate for home health

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13 31 agencies at the rate provided to such agencies as provided  
13 32 during FY 2000-2001, for the fiscal year beginning July 1,  
13 33 2001, and ending June 30, 2002: \$2,108,279.

13 34 7. To maintain the reimbursement rate for critical access  
13 35 hospitals at the rate provided such hospitals under the  
14 1 federal Medicare program during FY 2000-2001, for the fiscal  
14 2 year beginning July 1, 2001, and ending June 30, 2002:  
14 3 \$250,000.

14 4 8. To maintain the expansion of home health care services  
14 5 and habilitative day care services under the medical  
14 6 assistance program for children with special needs:  
14 7 \$1,975,496.

14 8 9. To maintain the expansion of respite care services  
14 9 provided through home and community-based waiver services  
14 10 under the medical assistance program: \$1,137,309.

14 11 10. To maintain the reimbursement rate as provided during  
14 12 FY 2000-2001 for service providers under the purview of the  
14 13 department of human services: \$545,630.

14 14 The bill provides \$200,000 for supplementation of the  
14 15 appropriation for the children's health insurance program.

14 16 The bill provides \$4,000,000 for supplementation of the  
14 17 medical assistance appropriation.

14 18 The bill appropriates \$250,000 to the department of human  
14 19 services to provide coverage under the medical assistance  
14 20 program to certain women who require treatment for breast or  
14 21 cervical cancer. The bill also codifies language to include  
14 22 this optional category of coverage under the medical  
14 23 assistance program.

14 24 The bill appropriates \$9,345,394 to the Iowa department of  
14 25 public health for the tobacco use prevention and control  
14 26 program and \$11,900,000 for additional substance abuse  
14 27 treatment. Under this appropriation, the department is  
14 28 directed to enhance the quality of and to expand capacity to  
14 29 provide 24-hour substance abuse treatment programs for  
14 30 children; to expand the length of individual client substance  
14 31 abuse treatment plans, as necessary to reduce recidivism; to  
14 32 share research-based best practices for treatment with



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14 33 substance abuse treatment facilities; to develop a results-  
14 34 based funding approach for substance abuse treatment services;  
14 35 and to develop a program to encourage individuals who are  
15 1 successfully managing their substance abuse problems to serve  
15 2 as role models.

15 3 The bill appropriates \$2,550,000 to the Iowa department of  
15 4 public health for development of a healthy lowans 2010 plan  
15 5 including the use of up to the following amounts for the  
15 6 following purposes: \$1,250,000 for core public health  
15 7 functions including home health care and public health nursing  
15 8 services contracted through a formula by local boards of  
15 9 health, to enhance disease and injury prevention services;  
15 10 \$400,000 for the implementation and support of a coordinated  
15 11 system of delivery of trauma and emergency medical services;  
15 12 \$437,000 for the poison control center; \$300,000 for  
15 13 development of scientific and medical expertise in  
15 14 environmental epidemiology; \$81,500 for prevention strategies  
15 15 to address the leading causes of deaths of lowans; and \$81,500  
15 16 for the childhood lead poisoning prevention program.

15 17 The bill appropriates \$610,000 to the department of  
15 18 corrections for day programming and the drug court program.

15 19 The bill appropriates \$146,750 to the property tax relief  
15 20 fund for the fiscal year beginning July 1, 2001, and ending  
15 21 June 30, 2002, for assistance to counties with limited county  
15 22 mental health, mental retardation, and developmental  
15 23 disabilities services fund balances to pay reimbursement  
15 24 increases in the same amount as provided in the fiscal year  
15 25 beginning July 1, 2000, and ending June 30, 2001.

15 26 The bill appropriates \$1,153,250 from the savings account  
15 27 for healthy lowans created within the tobacco settlement  
15 28 endowment fund created in section 12.65, Code 2001, to the  
15 29 Iowa empowerment fund for the fiscal year beginning July 1,  
15 30 2001, and ending June 30, 2002, for deposit in the school  
15 31 ready children grants account and provides for distributing  
15 32 the moneys.

15 33 The bill appropriates \$2,000,000 from the savings account  
15 34 for healthy lowans created within the tobacco settlement

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15 35 endowment fund created in section 12.65, Code 2001, to the  
16 1 Iowa department of public health for the fiscal year beginning  
16 2 July 1, 2001, and ending June 30, 2002, for establishing and  
16 3 operating a substance abuse treatment facility and providing  
16 4 staffing for the facility to be used to provide substance  
16 5 abuse treatment for persons on probation and under the  
16 6 supervision of a judicial district department of correctional  
16 7 services.

16 8 The bill provides that any moneys remaining at the end of  
16 9 the fiscal year from the appropriation for the fiscal year  
16 10 beginning July 1, 2000, and ending June 30, 2001, for  
16 11 assistance to counties with limited county mental health,  
16 12 mental retardation, and developmental disabilities services  
16 13 fund balances to pay reimbursement increases, is to not  
16 14 revert, but is to be deposited in the healthy lowans tobacco  
16 15 trust to be used for the purposes of the trust.

16 16 The bill also amends Code section 12.65, the tobacco  
16 17 settlement endowment fund, to rename the fund the healthy  
16 18 lowans tobacco trust. The bill also provides that moneys  
16 19 appropriated from the healthy lowans tobacco trust from the  
16 20 endowment for Iowa's health account of the tobacco settlement  
16 21 trust fund established in Code section 12E.12 and from any  
16 22 other source are to be deposited in the healthy lowans tobacco  
16 23 trust. The bill eliminates the savings account for healthy  
16 24 lowans that was established within the tobacco settlement  
16 25 endowment fund.

16 26 The bill provides that the department of public health  
16 27 shall establish a substance abuse treatment facility to  
16 28 provide a structured substance abuse treatment program for  
16 29 persons who are on probation and under the supervision of a  
16 30 judicial district department of correctional services. The  
16 31 bill provides that the department of public health and the  
16 32 department of corrections shall enter into a Code chapter 28E  
16 33 agreement to assist the department in establishing security  
16 34 for the facility. The bill provides that a judicial district  
16 35 may, with the approval of the department of public health and  
17 1 the department of corrections, place a person who is on

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17 2 probation at the substance abuse treatment facility to assist  
17 3 the person in complying with the terms and conditions of  
17 4 probation.

17 5 The bill establishes a substance abuse treatment facility  
17 6 advisory council within the Iowa department of public health  
17 7 to advise and make recommendations to the director of public  
17 8 health. The members of the council shall consist of the  
17 9 directors of the eight judicial district departments of  
17 10 correctional services, and representatives of the judicial  
17 11 branch, the Iowa department of public health, the department  
17 12 of corrections, and the governor's office of drug control  
17 13 policy.

17 14 The bill provides that moneys appropriated in the bill that  
17 15 are unexpended or unencumbered at the end of the fiscal year  
17 16 beginning July 1, 2001, and ending June 30, 2002, are to  
17 17 revert to the healthy Iowans tobacco trust.

17 18 The bill provides that references in the bill to the  
17 19 tobacco settlement endowment fund and to the savings account  
17 20 for healthy Iowans are to the fund and the account as created  
17 21 in section 12.65, Code 2001, and that unless otherwise  
17 22 provided, appropriations from the fund and the account are  
17 23 from moneys in the fund and the account on or before June 30,  
17 24 2001, and such moneys are to remain available for  
17 25 appropriation in the fiscal year beginning July 1, 2001, and  
17 26 ending June 30, 2002, as provided in the bill.

17 27 The bill provides that the section of the bill relating to  
17 28 nonreversion of moneys appropriated for purchase of service  
17 29 contract providers and the section of the bill relating to the  
17 30 transfer of moneys remaining in the savings account for  
17 31 healthy Iowans on June 30, 2001, to the healthy Iowans tobacco  
17 32 trust take effect upon enactment.

17 33 The bill provides that the section in the bill amending  
17 34 section 12.65 takes effect only if 2001 Iowa Acts, Senate File  
17 35 532 takes effect and that if 2001 Iowa Acts, Senate File 532  
18 1 is not enacted, the section in the bill amending section 12.65  
18 2 does not take effect and the references to the healthy Iowans  
18 3 tobacco trust are references to the tobacco settlement

PG LN

**Senate File 537**

**Explanation**

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18 4 endowment fund created in section 12.65, Code 2001. If 2001  
18 5 Iowa Acts, Senate File 532 is not enacted, all moneys paid to  
18 6 the state under the master settlement agreement are to be  
18 7 deposited in the tobacco settlement endowment fund created in  
18 8 section 12.65, Code 2001.  
18 9 LSB 1155SV 79  
18 10 pf/cis/14

# Summary Data

## Non General Fund

| S.F. 537                      | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|-------------------------------|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|                               | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| Administration and Regulation | \$ 0              | \$ 0              | \$ 3,800,000             | \$ 0                     | \$ -3,800,000                   |                       |
| Health and Human Rights       | \$ 0              | \$ 22,269         | \$ 24,023,125            | \$ 23,795,394            | \$ -227,731                     |                       |
| Human Services                | \$ 0              | \$ 0              | \$ 26,535,000            | \$ 32,771,426            | \$ 6,236,426                    |                       |
| Justice System                | \$ 0              | \$ 0              | \$ 610,000               | \$ 609,999               | \$ -1                           |                       |
| Grand Total                   | <u>\$ 0</u>       | <u>\$ 22,269</u>  | <u>\$ 54,968,125</u>     | <u>\$ 57,176,819</u>     | <u>\$ 2,208,694</u>             |                       |
| Operations                    | \$ 0              | \$ 22,269         | \$ 24,633,125            | \$ 24,405,393            | \$ -227,732                     |                       |
| Grants & Aid                  | \$ 0              | \$ 0              | \$ 30,335,000            | \$ 32,771,426            | \$ 2,436,426                    |                       |
| Grand Total                   | <u>\$ 0</u>       | <u>\$ 22,269</u>  | <u>\$ 54,968,125</u>     | <u>\$ 57,176,819</u>     | <u>\$ 2,208,694</u>             |                       |

# Administration and Regulation

## Non General Fund

| S.F. 537                         | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|----------------------------------|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|                                  | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| <b><u>Treasurer of State</u></b> |                   |                   |                          |                          |                                 |                       |
| Healthy Iowans - Tbco            |                   |                   | \$ 3,800,000             |                          | \$ -3,800,000                   |                       |
| Grants & Aid                     | \$ 0              | \$ 0              | \$ 3,800,000             | \$ 0                     | \$ -3,800,000                   |                       |
| Grand Total                      | <u>\$ 0</u>       | <u>\$ 0</u>       | <u>\$ 3,800,000</u>      | <u>\$ 0</u>              | <u>\$ -3,800,000</u>            |                       |

# Health and Human Rights

## Non General Fund

| S.F. 537                                   | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|--|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|  | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| <b><u>Health, Department of Public</u></b> |                   |                   |                          |                          |                                 |                       |
| Tobacco Use Prev./Control-Tbco             |                   | \$ 22,269         | \$ 9,323,125             | \$ 9,345,394             | \$ 22,269                       | PG 3 LN 16            |
| Substance Abuse-Tbco                       | 0                 | 0                 | 11,900,000               | 11,900,000               | 0                               | PG 4 LN 4             |
| Healthy Iowans 2010-Tbco                   | 0                 | 0                 | 2,800,000                | 2,550,000                | -250,000                        | PG 4 LN 25            |
| <b>Total Health, Department of Public</b>  | <b>\$ 0</b>       | <b>\$ 22,269</b>  | <b>\$ 24,023,125</b>     | <b>\$ 23,795,394</b>     | <b>\$ -227,731</b>              |                       |
| <b>Total Health and Human Rights</b>       | <b>\$ 0</b>       | <b>\$ 22,269</b>  | <b>\$ 24,023,125</b>     | <b>\$ 23,795,394</b>     | <b>\$ -227,731</b>              |                       |
| Operations                                 | \$ 0              | \$ 22,269         | \$ 24,023,125            | \$ 23,795,394            | \$ -227,731                     |                       |
| Grand Total                                | \$ 0              | \$ 22,269         | \$ 24,023,125            | \$ 23,795,394            | \$ -227,731                     |                       |

# Human Services

## Non General Fund

| S.F. 537                                    | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|---|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|   | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| <b><u>Human Services, Department of</u></b> |                   |                   |                          |                          |                                 |                       |
| <b>Medical Services</b>                     |                   |                   |                          |                          |                                 |                       |
| Phys Et Al Provider Inc-Tbco                |                   | \$ 0              | \$ 6,000,000             | \$ 11,595,718            | \$ 5,595,718                    | PG 1 LN 8             |
| Dental Provider Inc-Tbco                    |                   | 0                 | 3,600,000                | 3,814,973                | 214,973                         | PG 1 LN 20            |
| Hospital Provider Inc-Tbco                  |                   | 0                 | 2,300,000                | 3,035,278                | 735,278                         | PG 2 LN 4             |
| Home Hlth Care Prov Inc-Tbco                |                   | 0                 | 2,400,000                | 2,108,279                | -291,721                        | PG 2 LN 9             |
| Critical Access Hospitals-Tbco              |                   | 0                 | 250,000                  | 250,000                  | 0                               | PG 2 LN 15            |
| Home Hlth & Hab. Day Care Exp.              |                   | 0                 | 4,400,000                | 1,975,496                | -2,424,504                      | PG 2 LN 21            |
| Respite Care Expansion-Tbco                 |                   | 0                 | 1,200,000                | 1,137,309                | -62,691                         | PG 2 LN 27            |
| CHIP Exp. to 200% of FPL-Tbco               |                   | 0                 | 200,000                  | 200,000                  | 0                               | PG 3 LN 4             |
| Cont. Eligibility Pilot-Tbco                |                   | 0                 | 35,000                   | 0                        | -35,000                         |                       |
| Breast/Cervical Cancer Treatme              |                   |                   |                          | 250,000                  | 250,000                         | PG 3 LN 11            |
| Supplement Medicaid - Tbco                  |                   |                   |                          | 4,000,000                | 4,000,000                       | PG 3 LN 8             |
| <b>Total Medical Services</b>               | <b>0</b>          | <b>0</b>          | <b>20,385,000</b>        | <b>28,367,053</b>        | <b>7,982,053</b>                |                       |
| <b>Child and Family Services</b>            |                   |                   |                          |                          |                                 |                       |
| RTSS Provider Increase-Tbco                 |                   | 0                 | 3,100,000                | 3,243,026                | 143,026                         | PG 1 LN 26            |
| Adoption, II, Sc, Hs Prov-Tbco              |                   | 0                 | 500,000                  | 468,967                  | -31,033                         | PG 1 LN 33            |
| Provider Rate/Meth Chgs-Tbco                | <b>0</b>          | <b>0</b>          | <b>550,000</b>           | <b>545,630</b>           | <b>-4,370</b>                   | <b>PG 2 LN 33</b>     |
| <b>Total Child and Family Services</b>      | <b>0</b>          | <b>0</b>          | <b>4,150,000</b>         | <b>4,257,623</b>         | <b>107,623</b>                  |                       |
| <b>MH/MR/DD/BI</b>                          |                   |                   |                          |                          |                                 |                       |
| POS Provider Increase-Tbco                  |                   | 0                 | 2,000,000                | 146,750                  | -1,853,250                      | PG 5 LN 35            |
| <b>Total Human Services, Department of</b>  | <b>\$ 0</b>       | <b>\$ 0</b>       | <b>\$ 26,535,000</b>     | <b>\$ 32,771,426</b>     | <b>\$ 6,236,426</b>             |                       |
| <b>Total Human Services</b>                 | <b>\$ 0</b>       | <b>\$ 0</b>       | <b>\$ 26,535,000</b>     | <b>\$ 32,771,426</b>     | <b>\$ 6,236,426</b>             |                       |
| Grants & Aid                                | \$ 0              | \$ 0              | \$ 26,535,000            | \$ 32,771,426            | \$ 6,236,426                    |                       |
| Grand Total                                 | \$ 0              | \$ 0              | \$ 26,535,000            | \$ 32,771,426            | \$ 6,236,426                    |                       |



# Justice System

## Non General Fund

| S.F. 537                                 | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|--|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|  | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| <b><u>Corrections, Department of</u></b> |                   |                   |                          |                          |                                 |                       |
| CBC District II-Tbco                     |                   |                   | \$ 127,217               | \$ 127,217               | \$ 0                            | PG 5 LN 20            |
| CBC District III-Tbco                    |                   |                   | 35,359                   | 35,359                   | 0                               | PG 5 LN 24            |
| CBC District IV-Tbco                     |                   |                   | 191,731                  | 191,731                  | 0                               | PG 5 LN 28            |
| CBC District V-Tbco                      |                   |                   | 255,693                  | 255,692                  | -1                              | PG 5 LN 31            |
| <b>Total Corrections, Department of</b>  | \$ 0              | \$ 0              | \$ 610,000               | \$ 609,999               | \$ -1                           |                       |
| <b>Total Justice System</b>              | \$ 0              | \$ 0              | \$ 610,000               | \$ 609,999               | \$ -1                           |                       |
| Operations                               | \$ 0              | \$ 0              | \$ 610,000               | \$ 609,999               | \$ -1                           |                       |
| Grand Total                              | \$ 0              | \$ 0              | \$ 610,000               | \$ 609,999               | \$ -1                           |                       |

# Summary Data

## FTE

| S.F. 537                | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|-------------------------|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|                         | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| Health and Human Rights | 0.00              | 0.17              | 15.30                    | 71.00                    | 55.70                           |                       |
| Grand Total             | 0.00              | 0.17              | 15.30                    | 71.00                    | 55.70                           |                       |
| Operations              | 0.00              | 0.17              | 15.30                    | 11.00                    | -4.30                           |                       |
| Grants & Aid            | 0.00              | 0.00              | 0.00                     | 60.00                    | 60.00                           |                       |
| Grand Total             | 0.00              | 0.17              | 15.30                    | 71.00                    | 55.70                           |                       |

# Health and Human Rights

FTE

| S.F. 537                                   | Actual<br>FY 1999 | Actual<br>FY 2000 | Estimated Net<br>FY 2001 | Senate Approp<br>FY 2002 | Senate Approp vs<br>Est FY 2001 | Page & Line<br>Number |
|--|-------------------|-------------------|--------------------------|--------------------------|---------------------------------|-----------------------|
|  | (1)               | (2)               | (3)                      | (4)                      | (5)                             | (6)                   |
| <b><u>Health, Department of Public</u></b> |                   |                   |                          |                          |                                 |                       |
| Tobacco Use Prev./Control-Tbco             |                   | 0.17              | 10.55                    | 7.00                     | -3.55                           | PG 3 LN 16            |
| Healthy Iowans 2010-Tbco                   | 0.00              | 0.00              | 4.75                     | 4.00                     | -0.75                           | PG 4 LN 25            |
| Substance Abuse Treatment Faci             |                   |                   |                          | 60.00                    | 60.00                           | PG 7 LN 4             |
| <b>Total Health, Department of Public</b>  | <b>0.00</b>       | <b>0.17</b>       | <b>15.30</b>             | <b>71.00</b>             | <b>55.70</b>                    |                       |
| <b>Total Health and Human Rights</b>       | <b>0.00</b>       | <b>0.17</b>       | <b>15.30</b>             | <b>71.00</b>             | <b>55.70</b>                    |                       |
| Operations                                 | 0.00              | 0.17              | 15.30                    | 11.00                    | -4.30                           |                       |
| Grants & Aid                               | 0.00              | 0.00              | 0.00                     | 60.00                    | 60.00                           |                       |
| <b>Grand Total</b>                         | <b>0.00</b>       | <b>0.17</b>       | <b>15.30</b>             | <b>71.00</b>             | <b>55.70</b>                    |                       |